Madhya Pradesh Civil Judge (Prelims) 2012

High Court of Madhya Pradesh, Jabalpur · Civil Judge, Class II (Entry Level) · Held 6 May 2012 · 100 questions · English transcription in subject order

Constitution of India

1. The words 'socialist' and 'secular' were inserted in the preamble of the Indian Constitution by:
   (A) 15th Amendment of the Constitution
   (B) 49th Amendment of the Constitution
   (C) 42nd Amendment of the Constitution
   (D) 44th Amendment of the Constitution

2. Within the meaning of under Article 3 of the Indian Constitution, the Parliament by law may/can:
   (A) Form new states
   (B) Alter areas of states
   (C) Alter boundaries or the names of existing states
   (D) All of the above

3. The expression 'every person' in Article 5 of the Constitution of India includes:
   (A) A prisoner
   (B) Member of Armed Forces
   (C) Person born in the Territory of India
   (D) All of the above

4. Which of the following is included in the concept of 'State' under Article 12 of the Constitution of India?
   (A) Railway Board
   (B) Judiciary
   (C) University
   (D) All of these

5. Article 15 of the Constitution of India does not permit the State to make special provision for one of the following which one is that?
   (A) Socially and educationally backward classes
   (B) A class of specific religion
   (C) Only scheduled caste and scheduled tribes
   (D) None of the above

6. In which of the following cases the Supreme Court has elaborately issued the guidelines on child labour under Article 23 of the Constitution of India?
   (A) M.C. Mehta Vs. State of Tamil Nadu
   (B) Bandhua Mukti Morcha Vs. Union of India
   (C) Madan Gopal Vs. state of Orissa
   (D) Both (A) and (B)

Transfer of Property Act

7. The following is not immovable property :
   (A) Royalty
   (B) Right to way
   (C) Right to fishing
   (D) Right of redemption

8. Tangible immovable property of value of this amount or upward, can be transferred only by a registered instrument:
   (A) Rs. 100
   (B) Rs. 50
   (C) Rs. 25
   (D) Rs. 90

9. Transfer of immovable property by way of gift not comprises necessary element is:
   (A) Donor and Donee
   (B) Acceptance by or on behalf of the donee
   (C) By way of registered deed attested by at least two witnesses
   (D) Only delivery of the property

10. Which interest is not transferable?
   (A) Vested interest
   (B) Contingent interest
   (C) Mere spes successionis
   (D) Interest of the lessee

11. In case of usufructuary mortgage, the mortgagee is placed in possession, he has a right to receive the rents and other profits:

(A) Till the contract is rescinded
(B) Till the mortgage money is paid
(C) For a fixed period of 30 years
(D) For a fixed period of 99 years

Code of Civil Procedure, 1908

12. According to Order VIII rule 1 the defendant shall file the written statement of his defence within:

(A) 30 days
(B) 45 days
(C) 60 days
(D) 90 days

13. In second appeal the reappreciation of evidence is:

(A) permissible
(B) subject of revision
(C) not permissible
(D) none of these

14. Temporary injunction may be granted:

(A) To restrain any election
(B) To restrain dispossession from property
(C) To restrain any intended disciplinary action against public servant
(D) In all the above circumstances

15. Where may suit for partition of immovable property be instituted?

(A) Where subject matter or property is situated
(B) Where defendant actually and voluntarily resides
(C) Where defendant carries on business
(D) Where defendant works for gain

16. Under which of the following circumstances, review of judgment may not lie?

(A) By a decree or order from which an appeal is allowed by this code, but from which no appeal has been preferred
(B) By a decree or order from which no appeal is allowed by this code
(C) By a decision on a reference from a court a small causes
(D) Appeal dismissed

17. In which one of the following cases, the court may not issue a commission?

(A) For execution of a decree
(B) To examine any person
(C) To make a partition
(D) To hold a scientific, technical or expert investigation

18. An ex parte decree can be set aside, under:

(A) Order 9, Rule 10 of C.P.C.
(B) Order 9, Rule 13 of C.P.C.
(C) Order 9, Rule 5 of C.P.C.
(D) Order 9, Rule 4 of C.P.C.

19. Right to withdraw the suit, is:

(A) an absolute right of the plaintiff
(B) a qualified right of the plaintiff
(C) fettered by certain conditions
(D) (B) and (C) both

Indian Contract Act, 1872

20. In which agreement consideration is necessary?

(A) Contract made on account of natural love and affection
(B) To pay time barred debt
(C) Contract of agency
(D) Contract of Indemnity

21. In which of the following circumstances original contract need to be performed?

(A) Novation
(B) Rescission
(C) Alteration
(D) Stipulation

22. 'A' contracts to pay 'B' a sum of money when 'B' marries 'C. This is a type of:

(A) Contingent Contract
(B) Vested Contract
(C) Illegal Contract
(D) Voidable Contract

23. Out of the following agreements which one is not void?

(A) Agreement with handicapped person
(B) Agreement to restrain a marriage
(C) Wagering agreement
(D) Agreement without consideration

Specific Relief Act, 1963

24. Who may obtain specific performance of contract in his favour?

(A) Any party of the contract
(B) The representative in interest of the principal or any party
(C) When a company has entered into a contract and subsequently becomes amalgamated with another company, the new company which arises out of the amalgamation
(D) All of the above

25. Contract not specifically enforceable:

(A) A contract for the non-performance of which compensation in money is an adequate relief
(B) A contract which runs into such minute or numerous detail
(C) A Contract the performance of which involves the performance of continuous duty which the court cannot supervise
(D) All of the above

26. A suit for possession of an immovable property, under section 6 of Specific Relief Act can be filed within ..... of dispossession.

(A) 6 months
(B) 1 year
(C) 3 years
(D) 12 years

27. An injunction granted during the pendency of a suit, under section 37 of the Specific Relief Act, 1963 is known as a:

(A) permanent injunction
(B) mandatory injunction
(C) temporary injunction
(D) perpetual injunction

Limitation Act, 1963

28. Where the prescribed period for any suit, appeal or application expires on a day when the court is closed, the suit, appeal or application may be instituted, preferred or made on the day:

(A) When court reopens
(B) At the residence of judge on the day of vacation
(C) Both (A) and (B)
(D) None of the above

29. Acknowledgment made after the period of limitation:

(A) Is of no effect
(B) Gives right to an independent and enforceable contract
(C) Liable defendant to pay the same
(D) None of the above

30. The period for limitation for filing defamation suit is:

(A) 1 year
(B) 3 years
(C) 12 years
(D) 30 years

31. Counter-claim, under section 3, Limitation Act, 1963, shall be deemed to have been instituted:

(A) on the same day when the suit, in which counter-claim is made, has been filed
(B) on the day on which the counter-claim is filed
(C) either (A) or (B) whichever is beneficial to the defendant
(D) either (A) or (B) whichever is beneficial to the plaintiff

Madhya Pradesh Accommodation Control Act, 1961

32. "Accommodation" not includes:
(A) Any land which is being used for agriculture purpose
(B) Garden and grounds
(C) Garage and out house
(D) Furniture supplied by the landlord for use in such building

33. A suit shall be filed against the tenant who has neither paid nor tendered the whole of the arrears of the rent legally recoverable from him within ..... of the date on which a notice of demand for the arrears of the rent has been served on tenant by the landlord.
(A) one month
(B) two months
(C) three months
(D) six months

34. No landlord can institute a suit for eviction against tenant for accommodation let for residential purposes if required bonafidely by the landlord:
(A) for occupation as a residence for himself
(B) for any member of his family
(C) for any person for whose benefit the accommodation is held
(D) for his married daughter

35. In the Act under Section 23-J definition of landlord means a "landlord" who is:
(A) A retired Government servant
(B) A widow or a divorced wife
(C) Physically handicapped person
(D) All of these

36. Where a landlord has acquired any accommodation by transfer, he cannot bring a suit for eviction on the ground specified in clause (e) or (f) sub-section (1) of Section 12 so long the following period has not elapsed:
(A) One year
(B) Six months
(C) Three months
(D) Two years

37. An appeal shall lie against the order passed by Rent Controlling Authority to:
(A) High Court
(B) District Court
(C) Collector
(D) State Government

38. Who is not a member of family for the purpose of M.P. Accommodations Control Act?
(A) Unmarried daughter
(B) Unmarried sister
(C) Grandson living separately
(D) Grandfather

39. Essential supply enjoyed by a tenant in respect of the accommodation let to him is cut-off by the landlord. Who will make an order to restore such supply?
(A) Collector
(B) Civil Court
(C) Rent Controlling Authority
(D) Municipal Corporation or Municipality as the case may be

Madhya Pradesh Land Revenue Code, 1959

40. Who is not a Revenue Officer?
(A) Settlement Officer
(B) Revenue Inspector
(C) Asstt. Suptd. Land Records
(D) Naib Tahsildar

41. Whether civil court can decide reinstatement of a Bhumiswami who has been improperly dispossessed u/s 250 of Land Revenue Code?
(A) Yes
(B) No
(C) With the consent of Revenue Court
(D) With the consent of Parties

42. Wajib-ul-arz of a village is maintained by the:
(A) Patwari
(B) Kotwar
(C) Sub-divisional Officer
(D) Tahsildar

43. Under the code a second appeal against the order passed by Collector shall lie before :
(A) Commissioner
(B) Settlement Commissioner
(C) Board of Revenue
(D) High Court

44. Who among the following is not authorized under the code to transfer the land through lease?

(A) Widow
(B) Unmarried woman
(C) Married woman
(D) Co-operative Society

45. The agriculture year will start from:

(A) 1st April
(B) 1st June
(C) 1st July
(D) 1st October

46. What punishment can be imposed in default of payment of land revenue?

(A) 10%
(B) 20%
(C) 50%
(D) 100%

47. Where a Bhumiswami has been dispossessed unauthorisedly, he will make an application for restitution of possession u/sec. 250 of the Code, before:

(A) Tahsildar
(B) Sub-divisional Officer
(C) Collector
(D) Revenue Inspector

Indian Evidence Act, 1872

48. There is a charge upon 'A' committing murder at Calcutta on a certain day. He takes plea that on that day he was at Lahore. This statement of 'A' is relevant under which section of the Evidence Act?

(A) Section-8
(B) Section-9
(C) Section-11
(D) Section-14

49. During the course of investigation information received from an accused who is in police custody leads to the discovery about arms, cloths, ornament, corpus which are related with the offence are relevant under Section 27 of the Evidence Act. This principle is laid down in the case law of:

(A) Pulukuri Kottya Vs. Emperor
(B) Khushal Rao Vs. State of Bombay
(C) Savaldas Vs. State of Bihar
(D) Pakla Naraya Swami Vs. Emperor

50. Under Section 102 of the Evidence Act burden of proof:

(A) Seldom changes
(B) Never changes
(C) Changes continuously
(D) None of these

51. Right to cross-examination of a witness has:

(A) The party who calls him
(B) Adverse Party
(C) Court
(D) None of these three

52. Admissibility of electronic record has been prescribed under section ..... of Evidence Act.

(A) 66
(B) 65B
(C) 65A
(D) 67

53. Evidence given by a dumb witness in the court by writing or signs shall be deemed to be:

(A) documentary evidence
(B) oral evidence
(C) neither oral nor documentary evidence
(D) none of the above

54. A leading question, without the permission of the Court, may be asked in:

(A) Examination-in-chief
(B) At any stage
(C) Cross-examination
(D) None of these

55. The following section of the Indian Evidence Act is related to dowry death:

(A) 113A
(B) 113B
(C) 114
(D) 114A

Indian Penal Code, 1860

56. If offence is punishable with imprisonment and fine both, then in default of payment of fine, the maximum term, may be ..... the prescribed maximum term.

(A) Equal to
(B) Half of
(C) One third of
(D) One fourth of

57. Which of the following sections of IPC, Act done in pursuant to judgement or order of a court is not an offence?

(A) Section 78
(B) Section 79
(C) Section 90
(D) Section 91

58. 'A' by putting 'B' in fear of grievous hurt, dishonestly induces 'B' to sign on a blank paper and deliver it to 'A'. 'A' has committed the offence of:

(A) Cheating
(B) Extortion
(C) Criminal breach of trust
(D) Forgery

59. C, under the influence of passion excited by a provocation given by A intentionally kills A's child named B. C has committed an offence of:

(A) murder
(B) culpable homicide not amounting to murder
(C) not committed any offence because he kills 'B' due to provocation
(D) causes the death of 'B' by doing rash or negligent act not amounting to culpable homicide

60. Word 'Dishonestly' as defined in Section 24 of IPC means:

(A) With the intention of causing wrongful gain to one person
(B) With the intention of causing wrongful loss to another person
(C) With the intention of causing wrongful gain to one person and with the intention of causing wrongful loss to another person
(D) All of the above are true

61. Which one of the following acts is not a mode of abetment under the IPC?

(A) Instigation
(B) Aiding
(C) Conspiracy
(D) An attempt

62. The accused was entrusted with some silver for the purpose of making ornaments and he dishonestly mixed copper into the ornaments. The offence committed is:

(A) Fraud
(B) Cheating
(C) Extortion
(D) Criminal breach of trust

63. Intention of cause death is not essential under Sec. 300 (clause):

(A) Firstly
(B) Secondly
(C) Thirdly
(D) Fourthly

Code of Criminal Procedure, 1973

64. The Code of Criminal Procedure, 1973 can be amended by:

(A) Parliament or any State Legislature
(B) The Parliament only
(C) The Supreme Court and Parliament
(D) State Legislature only

65. The Judgment of acquittal passed by judicial magistrate is appealable before Sessions Court in any ..... offence.

(A) Cognizable and non-bailable
(B) Cognizable and compoundable
(C) Non-cognizable and non-bailable
(D) Non-cognizable and bailable

66. Under Section 313 of the code, purpose of examination of accused is:

(A) to enabling the accused personally to explain any circumstances appearing in the evidence against him
(B) to enabling to accused to know his defence
(C) to enabling to accused to know about the charges
(D) all of the above

67. FIR (First Information Report) is registered under the following Section:

(A) Section 152
(B) Section 153
(C) Section 154
(D) Section 155

68. Under Section 125 the Court can order to make a maximum monthly allowance for the maintenance up to:

(A) Rs. 3,000
(B) Rs. 4,000
(C) Rs. 5,000
(D) Unlimited

69. Where it appears to the Court that the accused do not have sufficient means to engage a pleader, the Court shall assigns a pleader for his defence at the expense of the State. This provision is in:

(A) Section 104
(B) Section 144
(C) Section 303
(D) Section 304

70. Any Public Prosecutor or Assistant Public Prosecutor in charge of a case may before the judgement is pronounced, withdraw from the prosecution of any person. For this he has to take consent of:-

(A) Central Government
(B) State Government
(C) Court
(D) All of the three

71. Sentence of death awarded by court of Sessions, the proceeding shall be submitted to confirmation before:

(A) The State Government
(B) The Central Government
(C) The High Court
(D) The Supreme Court

Negotiable Instruments Act, 1881

72. Under Section 138 of the Act, complaint may be made from the date on which the cause of action arises:

(A) 15 days
(B) One month
(C) 45 days
(D) Two months

73. Under Section 138 of the Act, maximum term of imprisonment is:

(A) One year
(B) Two years
(C) Three years
(D) Depends upon discretion of the Court

74. Which of the following is not a Bill of Exchange?

(A) Share
(B) Demand Draft
(C) Post-dated Cheque
(D) None of these

75. The term "a cheque in the electronic form" is defined in the Negotiable Instrument Act, 1881 under:

(A) Section 6(a)
(B) Section 6(b)
(C) Explanation 1(a) of Section 6
(D) None of these

General Knowledge

76. Under which Act public holiday is declared?

(A) Public Employees Act
(B) Contract Act
(C) Negotiable Instrument Act
(D) Consumer Protection Act

77. What is true about the membership of India in the United Nations Security Council ?

(A) India is a permanent member
(B) India is a non-permanent member for two years
(C) India is a non-permanent member for five years
(D) India is not related to United Nations

78. Financial Emergency has been imposed in India:
(A) Twice
(B) Thrice
(C) Four times
(D) Never

79. Name of the vitamin that needs no support for its digestion, is:
(A) Vitamin A
(B) Vitamin B
(C) Vitamin C
(D) Vitamin D

80. At 'Zero Hour' parliament members can:
(A) seek a vote of no confidence motion
(B) ask questions on any subject without prior notice
(C) ask questions with prior notice on the given subject
(D) vote on finance bills

81. Which state of India was blessed with first woman Chief Minister?
(A) Uttar Pradesh
(B) Bihar
(C) Orissa
(D) Rajasthan

82. Validity of Cheques and Bank Drafts shall be now for ..... from the date of its issuance?
(A) 6 months
(B) 3 months
(C) 9 months
(D) 12 months

83. Systolic Pressure occur when the blood pressure is:
(A) Low
(B) Maximum
(C) Stable
(D) None of these

84. The President of Press Council of India is:
(A) Shri Markandey Katju
(B) Shri Pradeep Kumar
(C) Shri Vazahat Habibullah
(D) Shri Ashok Chawla

85. WLL means:
(A) Without Land Line
(B) Wireless in Land Loop
(C) Wireless in Local Loop
(D) With Land Line

86. In which district of M.P., Bandhavgarh National Park is situated?
(A) Shahdol
(B) Umariya
(C) Anuppur
(D) Mandla

87. Which of the dynasty is related to Madhya Pradesh?
(A) Kalchuri
(B) Pratihar
(C) Chalukya
(D) Kakatiya

88. Which of the following dams is not related to river Narmada?
(A) Maheshwar
(B) Indira Sagar
(C) Bargi
(D) Gandhi Sagar

89. Who was the Chief Justice of Madhya Pradesh, after reorganisation of State of MP in 1956?
(A) Shri Vivian Bose
(B) Shri P.V. Dixit
(C) Shri Hidayatullah
(D) Shri S.M. Sikri

90. The book, on which the film '3 IDIOTS' is based, has been written by:
(A) Arindam Choudhari
(B) Chetan Bhagat
(C) Amitav Ghosh
(D) Amartya Sen

Computer Knowledge

91. Arrangement of data in a predetermined sequence is called:
(A) Processing
(B) Sorting
(C) Coding
(D) Classifying

92. Result obtained in computers is called:
(A) Input
(B) Output
(C) Software
(D) Hardware

93. The CPU and RAM (Random Access Memory) are located on the:
(A) Expansion Board
(B) Motherboard
(C) Storage device
(D) Output device

94. Server of computers that provide resources to other computers are connected to a:
(A) Network
(B) Mainframe
(C) Supercomputer
(D) Client

95. The operating system is the most common type of ..... software.
(A) Communication
(B) Application
(C) System
(D) Word-processing

English

96. Choose the synonym of 'alert':
(A) Observant
(B) Energetic
(C) Clever
(D) Watchful

97. The meaning of 'locus standi' is:
(A) a right to be heard
(B) a duty to hear
(C) a local right
(D) a fundamental right

98. The phrase "to call in question" means:
(A) To invite a problem
(B) To ask a question
(C) To express doubts
(D) To solve a problem

99. 'Cold-blooded' means:
(A) Docile -.
(B) Inactive
(C) Ruthless
(D) Infected

100. The proposal of Mohan was accepted by him with open .....
(A) Mind
(B) Arms
(C) Doors
(D) Hands